

CASE NO.
3:24MJ5040

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Alex Hunt, a Special Agent with the Federal Bureau of Investigation (FBI), (hereinafter Affiant) being duly sworn, hereby depose and state as follows:

1. I am a Special Agent for the FBI, and, as such, I am an investigative or law enforcement officer of the United States within the meaning of Rule 41(a)(2)(C) of the Federal Rules of Criminal Procedure. Affiant is engaged in the enforcement of criminal laws and is within a category of officers authorized by the Attorney General to request and execute search warrants pursuant to Title 18 U.S.C. §§ 3052 and 3107; and DOJ regulations set forth at Title 28 C.F.R. §§ 0.85 and 60.2(a).
2. I have been a Special Agent of the FBI since 2015 and am currently assigned to the Northwest Ohio Violent Crimes Against Children Task Force. I was previously employed as a law enforcement officer and criminal investigator in Georgia from 2009 to 2015. Since 2009, I have received training and have experience in interviewing and interrogation techniques, arrest procedures, search and seizure, search warrant applications, and various other crimes and investigation techniques.
3. Affiant is investigating the on-line activities of MICHAEL D. ASPINWALL (hereinafter “ASPINWALL”). As will be shown below, there is probable cause to believe that ASPINWALL has engaged in activity constituting a violation Title 18, United States Code, § 2252(a)(2), Receipt and Distribution of Visual Depictions of Real Minors Engaged in Sexually Explicit Conduct and Title 18, United States Code, § 2251, Sexual Exploitation of Minors. I am submitting this affidavit in support of an arrest warrant authorizing the arrest of ASPINWALL.

CASE NO.
3:24MJ5040

4. This affidavit is based upon information that Affiant has gained through training and experience, as well as upon information relayed by other individuals, including law enforcement officers. This affidavit is being submitted for the limited purpose of establishing probable cause to secure a criminal complaint. As a result, Affiant has not included every fact known in the investigation.

RELEVANT STATUTES

5. This Complaint involves violations of the following statutes:

- a. 18 U.S.C. §§ 2252A(a)(2)(A) and (b)(1): No person shall knowingly receive, distribute or conspire to receive or distribute any child pornography or any material that contains child pornography, as defined in 18 U.S.C. § 2256(8), that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.
- b. 18 U.S.C. §2251: No person shall employ, use, persuade, induce, entice, or coerce any minor to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct; that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

DEFINITIONS

6. The following definitions apply to this Affidavit and Attachments:

- a. “Child Pornography” includes any visual depiction of sexually explicit conduct where (a) the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct; (b) the visual depiction was a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaged in sexually explicit conduct; or (c) the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct. *See* 18 U.S.C. § 2256(8).

CASE NO.
3:24MJ5040

b. The Internet is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

c. “Internet Protocol address” or “IP address” refers to a unique number used by a computer to access the Internet. IP addresses can be dynamic, meaning that the Internet Service Provider (ISP) assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be static, if an ISP assigns a user’s computer a particular IP address that is used each time the computer accesses the Internet.

d. “Minor” means any person under the age of 18 years. *See* 18 U.S.C. § 2256(1).

e. “Sexually explicit conduct” applies to visual depictions that involve the use of a minor, *see* 18 U.S.C. § 2256(8)(A), or that have been created, adapted, or modified to appear to depict an identifiable minor, *see* 18 U.S.C. § 2256(8)(C). In those contexts, the term refers to actual or simulated (a) sexual intercourse (including genital-genital, oral-genital, or oral-anal), whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the genitals or pubic areas of any person. *See* 18 U.S.C. § 2256(2)(A).

f. The term “chat room” is primarily used to describe any form of synchronous conferencing. Synchronous conferencing is the formal term used in computing, in particular in computer-mediated communication, collaboration and learning, to describe technologies informally known as online chat. It is sometimes extended to include audio/video conferencing or instant messaging systems that provide a text-based multi-user chat function. The word *synchronous* is used to qualify the conferencing as real-time, as distinct from a system such as e-mail, where messages are left and answered later.

g. The term “chat” has come to describe the act of communicating over the internet in real-time transmission. Chats can between a group or from one individual to another.

CASE NO.
3:24MJ5040

h. The terms “jpeg,” “jpg,” “gif,” “bmp,” and “art” are defined as graphic image files, namely, pictures.

i. The terms “mpeg,” “mpg,” “mov,” “avi,” “rm,” and “wmv” are defined as video or movie files. To use these video files, one needs a personal computer or other digital devices with sufficient processor speed, internal memory, and hard disk space to handle and play typically large video files. One also needs a video file viewer or client software that plays video files. One can download shareware or commercial video players from numerous sites on the Internet.

PROBABLE CAUSE

7. FBI Online Covert Employee (OCE) 10655 operates in an undercover capacity on Swiss end-to-end encrypted application, TeleGuard. In that capacity, OCE 10655 has established contacts with other international law enforcement officers (ILEO) who also operate in an undercover capacity on TeleGuard. One such ILEO alerted OCE 10655 that TeleGuard user, LuvEmYoung, was a likely US-based contact offender. Per the ILEO, on January 17, 2024, LuvEmYoung sent a video on TeleGuard that depicted an adult male masturbating to ejaculation onto the face of an approximately 4-year-old sleeping boy, while rubbing his penis on the child’s face. LuvEmYoung told the ILEO that LuvEmYoung was the adult male masturbating over the child. LuvEmYoung also sent a video of himself masturbating and inserting objects into his own anus. LuvEmYoung’s face is partially visible in the video of himself masturbating. This video does not contain the child. A photo of his face from the masturbation video (the video only containing an adult male and no child) is depicted below:

CASE NO.
3:24MJ5040



8. All three videos were submitted by the ILEO to the International Child Sexual Exploitation database under series HAHASHEETS. FBI Special Agent (SA) Martin Baranski of the FBI Albany, NY Division, obtained a copy of the HAHASHEETS series.
9. On February 1, 2024, OCE 10655 engaged in a direct messaging conversation with LuvEmYoung on TeleGuard. In the course of the direct messaging conversation, LuvEmYoung confirmed that he was the adult male masturbating to ejaculation over the approximately 4-year-old sleeping boy. LuvEmYoung stated the boy was an “old friends’ son”. In addition, LuvEmYoung stated that he also sexually abused his stepdaughters, niece, and his niece’s friend while they slept. OCE 10655 requested non-sexually explicit pictures of LuvEmYoung’s niece, to which LuvEmYoung provided two pictures of a girl. As stated previously, TeleGuard is a Swiss end-to-end encrypted application, and these applications by nature do not maintain IP addresses or other subscriber information or content.
10. An ILEO provided OCE 10655 an Android push token¹ as received from TeleGuard for LuvEmYoung. On February 5, 2024, SA Baranski requested subscriber

¹ Push tokens are a unique anonymous identifier generated by a user's device (Apple (iOS) or Google (Android)) and sent to TeleGuard to identify where to send each recipient's notification. If a device doesn't have a push token, there is no way to send a push notification to it. Push tokens are generated by push service providers. A push token can be sent to Apple or Google and subscriber information for the underlying user can be obtained in return.

CASE NO.
3:24MJ5040

information for the Android push token from Google on an exigent basis. Google honored the exigent request and provided subscriber information for six different Google accounts that were associated with the push token, as well as related IP addresses. The Google accounts are:

- randomlove6936@gmail.com
- whoreallycares6935@gmail.com
- mikeaspinwall37@gmail.com
- johncane3769@gmail.com
- d02981659@gmail.com
- giveyoupleasure6936@gmail.com

11. Google provided an aggregate list of IPs associated with several of the above-mentioned email accounts. Several of the IPs provided resolved to AT&T. SA Baranski requested subscriber information from AT&T for the below IP addresses on an exigent basis.

Created on: 2023-12-13 03:21:42 Z

Terms of Service IP:
2600:1700:b2a0:efe0:d5fa:a32:a198:902f

Created on: 2023-12-26 02:29:48 Z

Terms of Service IP:
2600:1700:b2a0:efe0:a51c:bd08:969:5765

Created on: 2023-12-23 12:36:15 Z

Terms of Service IP:
2600:1700:b2a0:efe0:c07b:f798:6a2:cd5e

CASE NO.
3:24MJ5040

12. AT&T honored the exigent request and provided subscriber information over the telephone of:

Andrew Magnussen
1501 Liberty Street
Toledo, OH 43605
419-290-4637
andrewmagnussen700@gmail.com

13. SA Baranski performed an open-source search on Facebook for Mike Aspinwall, one of the names that appeared in one of the email addresses provided by Google. SA Baranski discovered a Facebook page for a Mike Aspinwall residing in Toledo, OH. The Facebook profile picture of Mike Aspinwall appeared to match the image and likeness of the previously described video of the adult male masturbating and inserting items into his anus.
14. Your affiant also reviewed the Facebook profile photo of Aspinwall. His Facebook profile photo is below:



15. SA Baranski observed that Mike Aspinwall was friends with Melissa Aspinwall on Facebook. Per review of Melissa Aspinwall's Facebook page, there were several

CASE NO.
3:24MJ5040

pictures of an approximately 12-year-old female that matched the image and likeness of the pictures sent by LuvEmYoung that he expressed in the chats with OCE were of LuvEmYoung' niece.

16. On February 6, 2024, your affiant was provided a copy of the chats between OCE 10655 and LuvEmYoung. A summary of the conversation below is used simply as a reference; the recorded chats should be the final authority. Relevant portions of the conversation between OCE and LoveEMYoung ("Subject") are as follows:

February 1, 2024

Subject: Hey

OCE: Hey here fellow perv friend. I added you from the daughter share group. You have any little toys you play with?

Subject: Unfortunately not anymore. I used to play with my step daughters and my little niece and her friend while they slept.

OCE: I thought I saw a vid someone said was your of you cumming on a cute little boy

Subject: That was me yes. That was an old friends son. I didn't mention it because we were talking about girls.

...

OCE: How did it start with you for your step dau, niece and friend and that little cute boy?

Subject: Well I unfortunately found out quick that my niece was a very light sleeper so it was mainly light rubbing while she slept. Her friend on the other hand was a very heavy sleeper. I was able to eat her ass and pussy, tease her clit with my cock and fingers, and had my cock in her mouth. I was about to fuck her and had half my cock in her pussy and I started to cum from the excitement. So I squeezed my cock and held I long enough for me to cum in her mouth.

...

OCE: Were you on wickr before?

February 2, 2024

Subject: unfortunately I missed out on the wonders and joy of wickr. Ive heard many good things abou it before it was shutdown.

OCE: Gotcha. Wickr was great. I ran a group of rooms on there. The platform was perfect for us. We moved all our rooms from Wickr to Teleguard. Where were you before?

Subject: *sends a screenshot of chat groups or rooms he was in on Wickr. Some of the chat rooms include "Pedomom", "Rape, Hurtcore", "Scallywags 0-4" and "zoo room".

CASE NO.
3:24MJ5040

February 3, 2024

Subject: I was using Kik for a long time. I was part of a lot of good groups. But I unfortunately I have been permanately banned from Kik and was never given a reason.

OCE: What groups were you in on Kik? I usedt o be in some good ones.

February 4, 2024

Subject: Couple mega link groups, lot of cp grous, and a lot of local bi/gay men hookup groups. What bout you?

February 5, 2024

OCE: Pretty much the same, minus the hookup groups. Were you the same username on there. I wonder if we ever crossed paths.

17. On February 6, 2024, your affiant obtained a Toledo Police Report relating to Michael D. ASPINWALL from November 5, 2023. In the report, Crystal Bucklin-Smith states she left her two children, Minor Victim 1 age 3, and Minor Victim 2 age three months with ASPINWALL to babysit. She stated that when she returned home to 1128 Nevada Street, Toledo, Ohio, she noticed visible marks on the children. She stated she believed ASPINWALL abused her children. The officers observed visible marks on the buttocks of Minor Victim 1 and face of Minor Victim 2. ASPINWALL was listed as residing at 1425 Liberty Street, Toledo, Ohio.
18. The same Toledo Police Unit then made contact with ASPINWALL at 1419 Liberty Street, Toledo, Ohio 43605. ASPINWALL denied the child abuse but was wanted for a parole violation.
19. Your Affiant conducted a criminal history check for ASPINWALL and learned he has the following criminal convictions: Domestic Violence, Robbery, Theft and Obstructing Official Business.

CASE NO.
3:24MJ5040

20. Your Affiant spoke to Dan Van Vorhis of the Ohio Adult Parole/ATF. He confirmed that ASPINWALL is on parole for a robbery case out of the Lucas County Court of Common Pleas. His registered address is 1425 Liberty Street, Toledo, Ohio 43605.
21. On February 6, 2024, investigators conducted surveillance at 1425 Liberty Street, Toledo, Ohio 43605. At approximately 12:55pm, investigators saw a male subject, matching Mike Aspinwall's description, wearing a black hoody with white logo on the front, walk into the residence of 1425 Liberty Street, Toledo, Ohio. The male's hoody was pulled over his head and it was difficult for investigators to positively identify that the male was Mike Aspinwall. At approximately 1:01pm the same individual, wearing the same outfit as described above, and additionally wearing a tan jacket, was seen by investigators leaving the residence of 1425 Liberty Street, Toledo, Ohio, and walked toward investigators who were conducting surveillance. Investigators were able to get a better look at the male subject and feel positively that the male is Mike Aspinwall.
22. On February 7, 2024, your affiant obtained a NCMEC Cybertip Report from December 2023. According to the report, on December 10, 2023, the user Mikeaspin35 was reported by Kik to NCMEC for sharing two files of child pornography via Kik Messenger. The email address associated with this account is mikeaspinwall37@gmail.com. The ESP User ID is mikeaspin35_3ue.
23. The Cybertip lists the following 3 IP addresses:

107.139.247.111 US OH Toledo 43605 41.6503/ -83.5065 AT&T Internet/
AT&T
185.104.139.24 US 37.751/ - 97.822 ICOMERA/ ICOMERA

CASE NO.
3:24MJ5040

72.241.123.198 OH Toledo Toledo 43605 41.6503/ - 83.5065 Buckeye Cablevision

24. On February 7, 2024, your affiant sent administrative subpoenas to Buckeye Cable System and Icomera. According to the Cybertip, the child pornography was shared from the I.P. Address 72.241.123.198 utilizing the Kik application.
25. The same day, Buckeye Cable System provided information as to I.P. 72.241.123.198. This IP Address was registered to Crystal Bucklin-Smith at 1128 Nevada, Toledo, Ohio 43605. Reference should be made to paragraph 26. This is the same address and individual from the November 5, 2023, police report.
26. On February 8, 2024, an application and affidavit authorizing a search and seizure warrant for 1425 Liberty, Toledo, Ohio 43605, and the person of Michael D. Aspinwall was filed with the United States District Court for the Northern District of Ohio (3:24MJ5034) and a search and seizure warrant was signed by the Honorable U.S. Magistrate Judge Darrell A. Clay authorizing the same.
27. On February 9, 2024, at approximately 7:00 a.m., FBI agents/Task Force Officers, and Toledo Police Officers executed the search warrant. The search warrant of his person resulted in the seizure of his cellular Motorola telephone.
28. During the February 9, 2024, interview, ASPINWALL provided the following information:
 - a. ASPINWALL utilized the Wi-Fi of his neighbor, Andrew Magnussen at 1501 Liberty Street, Toledo, OH 43605 and he goes to his house regularly.
 - b. ASPINWALL initially denied using the application Teleguard, then admitted to using the application. When asked what his username was, he couldn't recall. Agents asked him if it was "LoveEmYoung" and ASPINWALL responded "yeah that

CASE NO.
3:24MJ5040

sounds right".

- c. ASPINWALL admitted to sending and receiving child pornography on Teleguard.
 - d. ASPINWALL admitted to producing the video involving masturbating on the child. He admitted that it was him in the video and that the child's name is "Grayson". He indicated he made this video while watching "Grayson" at the home of Crystal Bucklin-Smith at her home at 1128 Nevada, Toledo, Ohio 43605. He utilized his current Motorola cell phone to record the act.
 - e. ASPINWALL admitted to making a second video in which he was fondling Grayson while changing his diaper.
 - e. ASPINWALL admitted to sending the video of masturbating on the child to users on Teleguard.
29. During forensic review of the Motorola phone, law enforcement observed child pornography photos and videos involving infants and toddlers. Law enforcement also viewed a file folder titled "Grayson". Within the file folder were nonsexually explicit photos of the boy as well as sexually explicit photos and videos of the boy. One of the videos matched the video sent by ASPINWALL on Teleguard in which he was masturbating on the child.

CONCLUSION

30. Based upon the aforementioned factual information contained in this affidavit, I submit that there is probable cause to believe that MICHAEL D. ASPINWALL has engaged in activity constituting a violation of Title 18, United States Code, § 2252(a)(2), Receipt and Distribution of Visual Depictions of Real Minors Engaged in Sexually Explicit Conduct and Title 18, United States Code, § 2251, Sexual Exploitation of

CASE NO.
3:24MJ5040

Minors. Therefore, I am submitting this affidavit in support of an arrest warrant authorizing the arrest of MICHAEL D. ASPINWALL.

Respectfully Submitted,



Special Agent Alex Hunt (FBI)

Sworn to via telephone after submission by reliable electronic means pursuant to Fed.Crim.R. 4.1 and 41(d)(3) this 9th day of February 2024.



DARRELL A. CLAY
UNITED STATES MAGISTRATE JUDGE